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Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution

(Order of the President, No. 31)

中华人民共和国大气污染防治法

（主席令第三十一号）

Order of the President of the People's Republic of China

No. 31

The revision of "Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution" has been approved on the Sixteenth Standing Committee Meeting of the Twelfth National People's Congress on August 29, 2015, the revised "Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution" is hereby published and to be executed since January 1, 2016.

Xi Jinping, the President of the People's Republic of China

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Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution

(Passed on the 22nd Meeting of the Standing Committee of the Sixth National People's Congress on September 5, 1987

Corrected according to "Decision on Modifying "Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution"" issued on the 15th Meeting of the Standing Committee of the Eighth National People's Congress on August 29, 1995

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Chapter 1 General

Article 1 This law is formulated with a view of protecting and improving environment, preventing and controlling atmospheric pollution, ensuring the public health, promoting the ecological civilization construction and the sustainable development of economy and society.

Article 2 As for atmospheric pollution prevention and control, take the atmospheric environment quality improvement as the objective, insist on source treatment, plan in advance, change the economic development pattern, optimize industrial structure and distribution and adjust energy structure.

As for atmospheric pollution prevention and control, the integrated control for the atmospheric pollutions from fuel coal, industry, motor vehicle and powerboat, raising dust and agriculture shall be strengthened, the combined prevention and control for regional atmospheric pollution shall be implemented and cooperative control for such atmospheric pollutants and greenhouse gases as particulate matter, sulphur dioxide, nitrogen oxides, volatile organic compound and ammonia shall be implemented.

Article 3 The people’s governments at or above the county level shall incorporate the atmospheric pollution prevention and control into national economic and social development planning and increase financial investment on atmospheric pollution prevention and control.

Local people's governments at all levels shall be responsible for the atmospheric environment quality of their administrative regions, make plans, take measures, control or gradually reduce the emission of atmospheric pollutant so that the atmospheric environment quality reaches the specified standard and the atmospheric environment quality is gradually improved.

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Article 4 Competent department of environmental protection under the State Council together with the relevant departments of the State Council assess the conditions of atmospheric environment quality improvement objective and the atmospheric pollution prevention and control key task completion of the provinces, autonomous regions, and municipalities directly under the Central Government according to the provisions of the State Council. The people's governments of the provinces, autonomous regions, and municipalities directly under the Central Government shall formulate assessment methods so as to assess the local atmospheric environment quality improvement objective and the atmospheric pollution prevention and control key task completion condition within their own administrative regions. The assessment results shall be publicized to the society.

Article 5 The environmental protection competent departments of the people’s government at or above the county level shall carry out uniform supervision and management for the atmospheric pollution prevention and control.

Other relevant departments of the people’s governments at or above the county level shall carry out supervision and management for the atmospheric pollution prevention and control within their corresponding responsibility ranges.

Article 6 The State shall encourage and support the scientific and technical research for atmospheric pollution prevention and control, carry out analysis on the atmospheric pollution source and its variation trend, popularize the advanced and applicable technology and equipment for atmospheric pollution prevention and control, promote the conversion of scientific and technical achievement and exert the supporting effect of science and technology in atmospheric pollution prevention and control.

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Article 7 Enterprises and public institutions as well as other production operators shall take effective measures to prevent or reduce atmospheric pollution and undertake the responsibility of atmospheric pollution according to law.

The citizens shall enhance the atmospheric environment protection consciousness, adopt low-carbon and economical lifestyle and consciously fulfil the obligation of atmospheric environment protection.

Chapter 2 Atmospheric Pollution Prevention and Control Standard and Planning of Reaching the Standard within a Definite Time

Article 8 Competent department of environmental protection under the State Council or the people's governments of the provinces, autonomous regions, and municipalities directly under the Central Government shall establish atmospheric environment quality standard with the purpose of ensuring public health and protecting ecological environment, matching with the economic and social development and achieving scientific and reasonable.

Article 9 Competent department of environmental protection under the State Council or the people's governments of the provinces, autonomous regions, and municipalities directly under the Central Government shall establish atmospheric pollutant emission standard on the basis of atmospheric environment quality standard and national economic and technical conditions.

Article 10 As for establishing atmospheric environment quality standard and atmospheric pollutant emission standard, experts shall be organized for examination and demonstration, and the opinions of relevant departments, industry associations, enterprises and public institutions as well as the public shall be solicited for.

Article 11 The environmental protection competent departments of the people’s governments at or above the provincial level shall publicize the atmospheric environment

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quality standard and the atmospheric pollutant emission standard on their websites for free consulting and downloading by the public.

Article 12 The implementation conditions of atmospheric environment quality standard and atmospheric pollutant emission standard shall be periodically assessed, and the standards shall be revised at proper time according to the assessment result.

Article 13 As for establishing the quality standard for such products containing volatile organic compound as fuel coal, petroleum coke, biomass fuel and coating, fireworks and crackers as well as boiler, the requirements for atmospheric environment protection shall be clearly stated.

As for establishing the quality standard for fuel, the national atmospheric pollutant control requirements shall be met, and the standard shall be connected to the motor vehicle, powerboat and non-road mobile machinery atmospheric pollutant emission standard and implemented together with it.

The above-mentioned non-road mobile machinery refers to mobile machinery equipped with engine and transportable industrial equipment.

Article 14 The municipal people's governments failing to reach the national atmospheric environment quality standard shall timely establish the planning of reaching the atmospheric environment quality standard within a definite time and take measures to reach the atmospheric environment quality standard within the period specified by the State Council or the provincial people's government.

As for establishing urban planning of reaching the atmospheric environment quality standard within a definite time, opinions of relevant industry associations, enterprises and public institutions, experts and the public shall be solicited for.

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Chapter 8 Supplementary Provisions

Article 128 Prevention and control of atmospheric pollution of oceaneering shall be conducted according to the relevant requirements of "Marine Environment Protection Law of the People's Republic of China".

Article 129 The Law shall be put into force since January 1, 2016.

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